

In the Claims

The following is a copy of Applicant's claims that identifies language being added with underlining ("____") and language being deleted with strikethrough ("~~—~~"), as is applicable:

1. (Currently Amended) A flexible tap apparatus member for use with a dye, said flexible tap apparatus member comprising:

a shaft having a first passage disposed axially therein, a second passage communicating with and extending outwardly from said first passage to an outer surface of said shaft, a flexible upper shaft portion, and a flexible lower shaft portion;
said upper shaft portion comprising external threads and said lower shaft portion having a substantially smooth surface; ~~and~~
~~a dye;~~

wherein said flexible tap apparatus member is arranged and configured such that after insertion into a living body, said upper shaft portion is anchored in a tissue of the living body with the external threads; and

wherein said first passage and said second passage are sized and shaped to communicate ~~said~~ dye to the tissue into which the upper shaft portion is anchored.

2. (Original) The flexible tap apparatus member of claim 1, further comprising:
a tip terminating said upper shaft portion.
3. (Previously Presented) The flexible tap apparatus member of claim 1, further comprising:
a guide pin for being removably disposed in the tissue to align said flexible tap apparatus member; and
wherein the guide pin is removably engaged through said first passage.
4. (Previously Presented) The flexible tap apparatus member of claim 3, wherein said first passage extends a portion of the length of the shaft.
5. (Canceled)
6. (Original) The flexible tap apparatus member of claim 1, further comprising
a handle arranged and configured to releasably receive said lower shaft portion.

7. (Previously Presented) A flexible tap apparatus system for use with a dye, said system comprising:

a first flexible tap apparatus member, comprising:

a shaft having a first passage disposed axially therein, a lateral

passage communicating with and extending laterally from said first

passage to an outer surface of said shaft, a flexible upper shaft portion,

and a flexible lower shaft portion;

said upper shaft portion comprising ridges and said lower shaft portion having a

substantially smooth surface; ~~and~~

~~a dye;~~

wherein said first flexible tap apparatus member is arranged and configured such that after insertion into a living body, said upper shaft portion is anchored in a tissue; and

wherein said first passage and said lateral passage are sized and shaped to communicate ~~said dye~~ to the tissue into which the upper shaft portion is anchored;

wherein said shaft of said first flexible tap apparatus member comprises a first set of dimensions; and

a second flexible tap apparatus member, comprising:

a second shaft having a second passage disposed axially therein, a second

lateral passage communicating with and extending laterally from said first

passage to an outer surface of said shaft, a flexible upper shaft portion,

and a flexible lower shaft portion;

said upper shaft portion of said second flexible tap apparatus member

comprising ridges and said lower shaft portion of said second flexible tap

apparatus member having a substantially smooth surface; and

~~a dye;~~

wherein said second flexible tap apparatus member is arranged and configured such that after insertion into a living body, said upper shaft portion of said second flexible tap apparatus member is anchored in a tissue; and

wherein said first passage and said second passage of said second flexible tap apparatus member are sized and shaped to communicate said dye to the tissue into which the upper shaft portion of said second flexible tap apparatus member is anchored;

wherein said shaft of said second flexible tap apparatus member comprises a second set of dimensions;

wherein said first set of dimensions differs from said second set of dimensions, ~~and wherein at least one of said flexible tap apparatus members is arranged and configured such that after insertion into a living body, said upper shaft portion of said flexible tap apparatus member is anchored in the tissue.~~

8. (Original) The flexible tap apparatus system of claim 7, further comprising:
a handle arranged and configured to interchangeably receive said first flexible tap apparatus member and said second flexible tap apparatus member.

9. (Canceled)

10. (Previously Presented) The flexible tap apparatus system of claim 7, wherein said first passage extends a portion of the length of said shaft.

11. (Canceled)

12. (Currently Amended) A method of creating a passage in tissue comprising:
- providing a flexible tap apparatus system comprising:
 - a flexible tap apparatus member, comprising:
 - a shaft having a first passage disposed axially therein, a lateral passage extending laterally from said first passage to an outer surface of said shaft, a flexible upper shaft portion, and a flexible lower shaft portion; said upper shaft portion comprising ridges and said lower shaft portion having a substantially smooth surface; and
 - a dye;
 - ~~engaging said flexible tap apparatus member into the tissue;~~
 - ~~communicating said dye to the tissue through said first passage and said lateral passage;~~
 - disposing a guide pin into the tissue;
 - engaging said first flexible tap apparatus member with said guide pin;
 - boring a passage in the tissue with said first flexible tap apparatus member;
 - communicating said dye to the tissue through said first passage and said lateral passage of said first flexible tap apparatus member;
 - removing said first flexible tap apparatus member from the tissue;
 - engaging said second flexible tap apparatus member with said guide pin; and
 - boring into said passage in the tissue with said second flexible tap apparatus member.
13. (Canceled)
14. (Previously Presented) The flexible tap apparatus member of claim 1, further comprising:

a handle comprising a passage arranged and configured to align with said first passage, said first passage being operative to allow said dye to be introduced into said tissue.

15. (Previously Presented) The flexible tap apparatus system of claim 7, further comprising:

a handle comprising a passage arranged and configured to align with said first passage, said first passage being operative to allow said dye to be introduced into said tissue.